

HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

DECEMBER 16, 2019

7:00 P.M.

- A. PLEDGE OF ALLEGIANCE
- B. CONSENT AGENDA
 - 1. SIGNATURES
 - 2. SECRETARY'S REPORTS
 - a. 12/02/2019
 - 3. COMMUNICATIONS
 - a. Updated Transfer Station Rules & Regulations
 - b. Updated Transfer Station decal application
 - c. Victualer's license renewals – Angelo's Pizza, Subway,
 - 4. REPORTS
 - a. Finance & Administration Committee Minutes – 11/04/2019 & 11/18/2019
 - b. Infrastructure Committee Minutes – None
 - c. Planning & Development Committee Minutes – 11/06/2019
 - d. Services Committee Minutes – None
- C. PUBLIC COMMENTS
- D. POLICY AGENDA
 - 1. NEWS, PRESENTATIONS & AWARDS
 - 2. PUBLIC HEARINGS
 - 3. NOMINATIONS – APPOINTMENTS – ELECTIONS
 - a. Notice and information for the public regarding upcoming elections specifically the March 3rd, 2020 Presidential Primary

NOTE: The Council will take a 5-minute recess at 8:00 pm.

AGENDA

- b. Appointment of Clarissa Edelston to the Edythe Dyer Library Board of Trustees – *referral from Services Committee*
- c. Re-appointment of Lowell (Ted) Sherwood Jr. to the Edythe Dyer Library Board of Trustees – *referral from Services Committee*
- d. Re-appointment of Nancy Fenders to the Edythe Dyer Library Board of Trustees – *referral from Services Committee*
- e. **2019 Spirit of America award to the Hampden Children's Day Committee**

4. UNFINISHED BUSINESS

- a. Town Manager search update – If needed

5. NEW BUSINESS

- a. Council Order 2019-08 Adopting Updated Transfer Station Decal Policy – *referral from Finance & Administration Committee*
- b. Council re-authorization of the Emergency Ordinance Regarding Medical Marijuana Registered Caregiver Operations
- c. Authorization for the expenditure of an amount not to exceed \$1,000 from Rec Area Reserve Account (3-767-00) to secure temporary storage at the Western Avenue Recreation area – *referral from Finance & Administration Committee*

E. COMMITTEE REPORTS

F. MANAGER'S REPORT

G. COUNCILORS' COMMENTS

H. ADJOURNMENT



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

DECEMBER 2, 2019

7:00 P.M.

Attending:

Mayor McPike

Councilor Jarvi

Councilor Wright

Councilor Ryder

Councilor McAvoy

Councilor Marble

Councilor Wilde

Paula Scott, Interim Town Manager/Clerk

Jessica Albee, Recording Clerk

Mayor McPike called the meeting to order at 7:00 P.M.

- A. PLEDGE OF ALLEGIANCE – Mayor McPike led the Pledge of Allegiance
- B. CONSENT AGENDA – Councilor Marble motioned to approve the consent agenda, seconded by Councilor Jarvi. Unanimous 7-0-0. Resolution 2019 - 227
 - 1. SIGNATURES
 - 2. SECRETARY'S REPORTS
 - a. 11/04/2019, 11/13/2019, 11/18/2019 -
 - 3. COMMUNICATIONS
 - 4. REPORTS
 - a. Finance & Administration Committee Minutes – None
 - b. Infrastructure Committee Minutes – 10/28/2019
 - c. Planning & Development Committee Minutes – None
 - d. Services Committee Minutes – None
- C. PUBLIC COMMENTS - None
- D. POLICY AGENDA
 - 1. NEWS, PRESENTATIONS & AWARDS
 - a. Introduction of FF/Paramedic Zach Talmadge – *Requested by Chief Bailey* – Chief Bailey introduced the new FF/Paramedic Zach Talmadge who

NOTE: The Council will take a 5-minute recess at 8:00 pm.

AGENDA

replaced Myles Block, to the Council.

2. PUBLIC HEARINGS - None

3. NOMINATIONS – APPOINTMENTS – ELECTIONS - None

4. UNFINISHED BUSINESS

a. Town Manager search update – Due to the snow storm, the Public Meet and Greet was rescheduled to December 4th at 6:00 P.M.

5. NEW BUSINESS

a. Council review and *approval* of FY20 Service Charges – *referral from Finance & Administration Committee*

Motion by Councilor Wright, seconded by Councilor Jarvi;
Unanimous 7-0-0. Resolution 2019 - 228

b. Council award of the contract for the Western Avenue sidewalk project to Maine Earth for \$244,723 – *referral from Finance & Administration Committee*

Motion by Councilor Wright, seconded by Councilor Jarvi;
Unanimous 7-0-0. Resolution 2019 - 229

c. Authorization for the expenditure of \$166.56 from Computer Reserve Account (3-711-00) to purchase a RAM upgrade and Windows 10 license for a Public Safety Toughbook – *referral from Finance & Administration Committee*

Motion by Councilor Wright, seconded by Councilor McAvoy;
Unanimous 7-0-0. Resolution 2019 - 230

E. COMMITTEE REPORTS

Planning and Development – Councilor Jarvi mentioned that the Planning and Development Committee hasn't met since the last Council meeting. The next meeting is scheduled for December 5th at 6:00 P.M.

Finance and Administration Committee – Councilor Wright mentioned that they discussed the items voted on above under new business and continued to work on Council Rules.

Services Committee – Councilor Marble mentioned that the Services Committee has not met since the last Council meeting, but will meet next week.

AGENDA

Infrastructure Committee – Councilor Ryder mentioned the Infrastructure Committee met last Monday night and discussed the following:

- Sidewalk project – To start, from Rt 9 to the Mayo road. This has been in the works for 3 years now.
- Brush pad out back at the Transfer Station is going to be built. The new Assistant Public Works Director is working on this. This will help save money on the Solid Waste budget.
- Paving- Didn't have a chance to finish all the paving this year, so the money is being held over for next spring. Discussed coming up with a different process of handling the paving such as getting the bids out early and looking at how we are funding and allocating the money. The plan is to start in the spring so that residents will be able to ride on the hot top all summer long.
- Kiwanis Hall- The insulation is there just waiting for some columns to be put in place.
- Transfer Station- Dump stickers going up to \$100 for Household trash and Demo, \$10 for regular trash and brush. Signs outside to explain where things go.
- Windmill Project- Passing through the Town of Hampden starting in February. There is going to be some congestion on Rt 1A and Rt 9 we are trying to ease the pain in that. Going on all Summer long. If you see big trucks and lights, go the other way.
- Western Avenue Sewer Project – Going to be working on the sewer line from Rt 1A as far as 202 and Dewey street that has been approved for this year.
- Met the new Assistant Public Works Director, Ralph Helms.

F. MANAGER'S REPORT - None

G. COUNCILORS' COMMENTS

Councilor McAvoy – Encouraged everyone to shop local and buy American. He wished Hampden a good night.

Councilor Marble- Welcomed the new Assistant Public Works Director. Also, welcomed back the Public Works Director, Sean Currier from Medical Leave.

Councilor Jarvi – No comment

Councilor Wright – No comment

Councilor Wilde – No comment

Councilor Ryder – No comment

Mayor McPike – Mentioned that he attended the Tree Lighting Ceremony with his fellow Council members. He wanted to thank everyone that participated including Kiwanis, the Key Club and of course Santa Clause. There was a good turn out and everyone had a good time.

H. ADJOURNMENT – With no further business, the meeting adjourned at 7:17 P.M.

**TOWN OF HAMPDEN
SOLID WASTE TRANSFER STATION RULES & REGULATIONS
355 Canaan Road, Hampden**

The Town of Hampden has a Solid Waste Transfer Station located at the Public Works Facility on the Canaan Road. This facility is for disposal of Hampden residential trash only, for residents with a valid Demolition/MSW or MSW (Municipal Solid Waste) decal.

- No Commercial Haulers are allowed to utilize the municipal Transfer Station
- No Contractor vehicles allowed (special circumstances may be reviewed on a case by case basis which meet criteria specified in the Transfer Station Decal Issuance Policy)

I. TRANSFER STATION DECALS

A decal permanently affixed to the vehicle is required for access to the facility. Decals are available at the Town Office at a cost specified in the Town of Hampden Fees Ordinance. Separate decals are now issued for municipal solid waste/recycle/brush and demolition disposal. The demolition disposal decal allows full use of the facility including disposal of demolition debris, municipal solid waste, recyclables and brush.

A current vehicle registration and/or proof of residency must be presented annually in order to obtain a decal. Eligibility requirements are specified in the Transfer Station Decal Issuance Policy.

No vehicle will be allowed entry to the Transfer Station without a current decal. Residents are expected to have a valid decal prior to JANUARY 1 to utilize the facility. A grace period may be provided to residents, with a valid decal from the prior year affixed to the proper vehicle, which may be allowed entry during the month of January only. As of February 1, all vehicles without a valid decal will not be allowed to utilize the facility and will be turned away at the gate or asked to leave if found within the facility. All residents unwilling to leave upon request, may be reported to the Public Works Director and/or Police Department and depending on the severity, could face civil or criminal penalties.

Note: A Temporary Vehicle Pass may be available based on eligibility and requirements also specified in the Transfer Station Decal Policy.

HOURS OF OPERATION

MONDAY	CLOSED
TUESDAY	CLOSED
WEDNESDAY	10 AM – 6 PM
THURSDAY	10 AM – 6 PM
FRIDAY	10 AM – 6 PM
SATURDAY	8 AM – 4 PM
SUNDAY	8 AM – 4 PM

CLOSED ALL LEGAL HOLIDAYS

New Year's Day	Labor Day
Martin Luther King Day	Indigenous Peoples' Day
President's Day	Veteran's Day
Patriot's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
4 th of July	Christmas Day
Also closed on Easter Sunday	

EARLY CLOSURES

December 24 (close at noon)
December 31 (close at 2 pm)

WEATHER OR POWER RELATED CLOSURES

During severe weather, power outages, etc. the DPW Director may close the Transfer Station on a temporary basis to direct available personnel resources toward weather-related needs. All such temporary closures will be posted to the Town's website and Facebook page with as much prior notice as possible as well as a sign placed on the gate at the transfer station.

II. DISPOSAL SCHEDULE

MUNICIPAL SOLID WASTE

Accepted on any day that the transfer station is open.

SHARPS DISPOSAL

Accepted on any day that the transfer station is open. Please put in a suitable container (medical waste container, laundry detergent bottle, etc.) and make sure the cap is properly secured. This may be disposed of as municipal solid waste.

SWAP SHOP ITEMS

Accepted at the 'swap shop' on any day that the transfer station is open, and may be taken from the 'swap shop' on any day that the transfer station is open. There is a **15 minute limit** on time spent at the swap shop to give other residents the opportunity to use the facility.

RECYCLABLES (SINGLE STREAM)

Accepted on any day that the transfer station is open.

CONSTRUCTION & DEMO DEBRIS, METAL, APPLIANCES AND ASPHALT SHINGLES

Accepted on the 2nd and 4th weekend of each month only.

TREE LIMBS, BRANCHES, BRUSH AND ASHES

Accepted on any day that the transfer station is open. Please cut all branches/limbs to a 5' max length. Cold ashes may be brought to the facility and disposed of in the specified receptacle. Hot ashes will **not** be accepted.

ELECTRONIC WASTE, FLUORESCENT LAMPS AND DEVICES WITH MERCURY

Accepted on any day that the transfer station is open.

REFRIGERANT DISPOSAL

There is a \$15 fee for the disposal of any appliance with refrigerant (refrigerators, freezers, air conditioners, etc.). A permit sticker for the disposal of such items must be purchased **at the Town Office** prior to disposal, and these items can only be taken to the transfer station on the second and fourth weekends of each month. Permit stickers must be firmly affixed to the item prior to disposal. The resident may possess a municipal solid waste (MSW) decal or a demo/MSW decal to be able to use this service. If you possess only a MSW decal, no other demolition debris may be disposed of except for the stickered refrigerant. **Town Office hours are 7:30am to 6:00pm Monday through Thursday.**

III. SINGLE STREAM RECYCLING

The Town of Hampden operates a single stream recycling program at the Transfer Station. There is a separate compactor at the facility in which recyclables are deposited. There is no need to separate these recyclable materials.

Recyclable materials that can be deposited in the Single Stream Compactor include:

Plastics #1 and #2 ONLY (rinse and leave caps on)
Magazines & soft cover books
File folders & office paper
Clean Corrugated cardboard
Paper Cartons & bags

Metal cans
Newspaper and inserts
Mail including envelopes
Paperboard boxes
Shredded paper in clear bags

Phone books & catalogs

Pots or Pans

Paper Plates

Empty aerosol cans

Unacceptable items that cannot be deposited in the Single Stream compactor

include:

Recyclables containing food waste

Plastics #3 through #7

Colored plastic bags

Window glass, bottles or jars

Facial tissue, paper Towels

Dishes or ceramics

Vinyl siding, wood, tarps

Paint

Oils

Needles/ Syringes

VCR tapes

Scrap metal

Bubble wrap

Household trash

Batteries

Mirrors

Light bulbs

Pyrex

Propane or Helium tanks

Styrofoam

Boat wrap, rope or chain

Hazardous material

Diapers

CD's/DVD's

Yard waste

Kitty litter

IV. MUNICIPAL SOLID WASTE

Municipal Solid Waste is considered typical household waste. Some items are now considered construction demolition due to processing methods. A generic list may be found in **Section V** below but the general list of typical household items is as follows:

- Plastics #3 through #7
- Glass (not from mirror or window)
- Colored plastic bags
- Dishes, pyrex, ceramics
- Paper towels, facial tissues
- Styrofoam
- Needles/Syringes (must be placed in suitable container like a medical waste container, laundry detergent bottle, etc. with cover/cap properly secured)
- Electrical cords (cut to 3' max length to avoid issues with processing equipment)
- Holiday lighting (cut to 3' max length to avoid issues with processing equipment)
- Curling iron or hair dryer (remove cord and cut to 3' max length to avoid issues with processing equipment)
- Small kitchen appliances-Toasters, blenders,etc. (remove cord and cut to 3' max length to avoid issues with processing equipment)
- CDs/DVDs
- Recyclables containing food waste
- DO NOT throw yard waste (leaves, lawn clippings) in MSW or brush pile. These items may be deposited to the left of the Transfer Station entrance road in the designated area. Please DO NOT leave plastic bags as this will be considered littering.
- Please bring unwanted clothing to a local Good Will, Shelter, Swap Shop or the donation bin located outside of the Swap Shop. Clothing is a problem as it becomes entwined with processing equipment.

V. DEMOLITION AND CONSTRUCTION DEBRIS

Demolition and Construction debris is material that does not fall in the typical household MSW or recyclable material but is still considered 'acceptable' wastes per Section VII below. Below, you will find a generic list of items considered Demolition or Construction Debris:

- Mirrors, window glass
- Window or venetian blinds

- Plastic lawn ornaments or toys
- Tarps and/or sheet plastics
- Garden hose
- Rope or chain
- Sheetrock or asphalt shingles
- Plywood, lumber or pallets
- Bulky items-mattresses, furniture, etc. (should be broken down to extent practicable to aid in disposal processes)

VI. SWAP SHOP

The Swap Shop is meant for gently used (unbroken) items that could realistically be reused by residents. This is not meant for a substitute location for the disposal of demolition or construction debris on non-demo weekends. The following is a generic list of typical items accepted at the swap shop:

- Dishes
- Small furnishings
- Household décor
- Clothing
- Toys

VII. UNACCEPTABLE WASTES

- **AUTOMOTIVE PARTS** including junk vehicles or car parts containing hazardous fluids including batteries, engines, transmissions, etc. These items should be disposed of in a salvage yard. Lawnmowers must have all fluids removed prior to being placed in the metal pile.
- **TIRES**
- **STUMPS**
- **PROPANE TANKS**
- **HAZARDOUS WASTE** This includes, paint thinners, cleaners, poisons, asbestos, chemicals, and petroleum products such as gas, oil, kerosene, and flammable waste. Infectious or biological wastes including dead animals or portions thereof, or other pathological wastes.
- **ROCKS, CONCRETE OR PAVEMENT**
- **LIQUID WASTES OR SLUDGES**
- **HOT LOADS** This includes ashes that have not properly cooled to the touch

VIII. BEFORE YOU GO TO THE TRANSFER STATION DISPOSAL TIPS...

PAINT CANS must be empty and rinsed out with lids removed.

METAL OR PLASTIC BARRELS OR BUCKETS All containers/drums must have at least one end removed and they must be washed out.

LEAVES, GRASS, AND YARD AND GARDEN CLIPPINGS may be deposited in designated area to left of the Transfer Station entrance road. Please DO NOT leave plastic bags as this will be considered littering.

TREE LIMBS AND BRANCHES must not exceed 5' in length.

BULKY ITEMS (mattresses, couches, furniture, etc.) should be broken down to extent practicable to aid in disposal processes. Separate items as MSW, Demo Debris, Metals, etc.

ASHES must be cool to the touch. Hot ashes will not be accepted.

IX. SPECIAL PERMIT REQUIRED

- **FREON CONTAINING ITEMS** including freezers, refrigerators, and air conditioners that contain ozone depleting substances such as Chlorofluorocarbons (CFCs) and Hydro Chlorofluorocarbons (HCFC) with common names such as "Freon" and Refrigerants ("R-12"). These items require a separate permit sticker purchased at the Town Office as noted above in Section II.

QUESTIONS? CALL THE DEPARTMENT OF PUBLIC WORKS AT 862-3337.

HAMPDEN TRANSFER STATION DEMO WEEKEND SCHEDULE 2019 -2020

JULY 2019	12-14	CLOSED JULY 4	26-28
AUGUST 2019	9-11		23-25
SEPTEMBER 2019	13-15		27-29
OCTOBER 2019	11-13		25-27
NOVEMBER 2019	8-10	CLOSED NOV 28 & 29	22-24
DECEMBER 2019	13-15	CLOSING AT NOON ON 24TH	27-29
		CLOSED DEC. 25	
JANUARY 2020	10-12	CLOSED JAN 1, 2020	24-26
FEBRUARY 2020	14-16		28-1
MARCH 2020	13-15		27-29
APRIL 2020	10-11	CLOSED EASTER SUNDAY APRIL 12	24-26
MAY 2020	8-10		22-24
JUNE 2020	12-14		26-28



HAZARDOUS WASTE DISPOSAL

USED MOTOR OIL, OLD GASOLINE, KEROSENE, PAINT THINNERS

MANY LOCAL GARAGES TAKE THESE MATERIALS TO BURN IN THEIR HEATING.

AUTOMOTIVE BATTERIES

RETURN BATTERIES TO STORE WHERE YOU PURCHASED. USUALLY THEY RETURN A CORE CHARGE TO YOU.

INTERIOR/EXTERIOR ARCHITECTURAL PAINTS (LAYTEX, OIL, ALKYD), DECK COATING, FLOOR PAINTS, STAINS, SHELLACS, VARNISH, URETHANE, WATER PROOFING CONCRETE/MASONRY/WOOD SEALERS AND REPELLANTS (NOT TAR OR BITUMEN BASED), METAL COATINGS, RUST PREVENTATIVES, FIELD PAINT

PAINTCARE IS A FREE PROGRAM FOR DISPOSAL AT SPECIFIED SITES LIKE SHERWIN WILLIAMS AND COLOR CONCEPTS IN BANGOR. VISIT PAINTCARE.ORG FOR MORE INFO. AEROSOL PAINTS ARE NOT ACCEPTED.

TELEVISIONS, COMPUTERS, FLOURECENT LAMPS,

THE HAMPDEN TRANSFER STATION CURRENTLY ACCEPTS THESE ITEMS. THE ATTENDANT WILL SHOW YOU WHERE THE ITEMS BELONG.

PESTICIDES

THE BOARD OF PESTICIDE CONTROL (287-2731) TYPICALLY HAS A PROGRAM IN THE FALL (SEPT-OCT) FOR DISPOSAL OF PESTICIDES. PRE-REGISTRATION IS REQUIRED.

ANTI-FREEZE

BANGOR RADIATOR WILL TAKE SMALL QUANTITIES OF CLEAN LOOKING GREEN *AND RED* ANTIFREEZE.

This handout is provided as friendly advice from the Town of Hampden. If you have questions visit us, or call Department of Public Works at 862-3337



DECAL NUMBER _____

FEES: RESIDENT MSW: \$10.00 _____
 SEASONAL MSW: \$10.00 _____
 RESIDENT DEMO/COMBO: \$100.00 _____
 SEASONAL DEMO/COMBO: \$100.00 _____

**TOWN OF HAMPDEN
TRANSFER STATION DECAL APPLICATION**

LAST NAME: _____ FIRST NAME: _____

PROPERTY ADDRESS: _____

VEHICLE MAKE/MODEL: _____ PLATE #: _____

BY SIGNING THIS APPLICATION, I CERTIFY THAT I MEET THE FOLLOWING CONDITIONS:

- ____ 1. THIS PROPERTY IS MY YEAR ROUND RESIDENCE AND NOT PART OF A COMMERCIAL DEVELOPMENT DEFINED AS A BUSINESS OPERATION OR AN APARTMENT/HOUSING COMPLEX OF MORE THAN FOUR (4) UNITS.
- ____ 2. THIS PROPERTY IS MY SEASONAL RESIDENCE AND IS NOT USED FOR RENTAL PURPOSES.

THE DECAL ISSUED MUST BE ATTACHED TO THE LOWER CORNER OF THE DRIVER SIDE WINDSHIELD OF THE VEHICLE LISTED ABOVE. IF YOUR VEHICLE CHANGES, PLEASE BRING THE OLD DECAL TO THE TOWN OFFICE FOR A REPLACEMENT DECAL. DECALS ARE GOOD FOR THE CALENDAR YEAR AND MUST BE RENEWED ANNUALLY PRIOR TO JANUARY 1.

THE HAMPDEN TRANSFER STATION IS TO BE USED FOR RESIDENTIAL TRASH/RECYCLING ITEMS GENERATED ONLY IN THE TOWN OF HAMPDEN. ABUSE OR VIOLATION OF TRANSFER STATION RULES AND REGULATIONS MAY RESULT IN CIVIL OR CRIMINAL CHARGES.

____ VEHICLE REGISTRATION PRESENTED (TO BE INITIALED BY ISSUING CLERK)

I HAVE RECEIVED A COPY OF THE TRANSFER STATION RULES AND REGULATIONS AND I UNDERSTAND IT IS MY RESPONSIBILITY TO ABIDE BY THE RULES AND REGULATIONS.

SIGNATURE_____
PHONE NUMBER_____
DATE

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
email: clerk@hampdenmaine.gov

December 3, 2019

Angelo's Pizza
Attn: Niko & Elisaveta Turla
102 Main Rd South
Hampden, ME 04444

RE: Victualer's license for Angelo's Pizza

Dear Niko & Elisaveta:

Your application for your Victualer's License has been approved. Accordingly, I am enclosing the license, which under Section 5.A of the Town of Hampden Victualer's Ordinance, must be displayed in a place within the establishment where it can be readily viewed by any member of the public.

Please call if you have any questions.

Sincerely,

Paula A. Scott

VICTUALER'S LICENSE CERTIFICATE

No. 2019-17-

MUNICIPALITY OF HAMPDEN, MAINE

To all whom these presents may concern: Date: December 3, 2019

KNOW YE, that Niko & Elisaveta Turla,

doing business as Angelo's Pizza

has been duly licensed as a Victualer at 102 Main Rd South Hampden, Me 04444

in the Municipality of Hampden by said Municipality until December 3, 2020 ,

and has paid to the Municipal Treasurer the fee of \$ 100.00.

Paula A. Scott
Authorized Municipal Officer Town Clerk

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
email: clerk@hampdenmaine.gov

B-3-c

December 3, 2019

Subway
Attn: Atif Sheikh
7 Western Ave
Hampden, ME 04444

RE: Victualer's license for Subway

Dear Atif:

Your application for your Victualer's License has been approved. Accordingly, I am enclosing the license, which under Section 5.A of the Town of Hampden Victualer's Ordinance, must be displayed in a place within the establishment where it can be readily viewed by any member of the public.

Please call if you have any questions.

Sincerely,

Paula A. Scott

VICTUALER'S LICENSE CERTIFICATE

No. 2019-16

MUNICIPALITY OF HAMPDEN, MAINE

To all whom these presents may concern: Date: December 3, 2019

KNOW YE, that Atif Sheikh,

doing business as Subway

has been duly licensed as a Victualer at 7 Western Ave Hampden, Me 04444

in the Municipality of Hampden by said Municipality until December 3, 2020 ,

and has paid to the Municipal Treasurer the fee of \$ 100.00.

Paula A. Scott

Authorized Municipal Officer

Town Clerk

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, November 4th, 2019

6:00 p.m.

Hampden Town Office

MINUTES

Attending:

Mayor McPike

Councilor Jarvi

Councilor Wright

Councilor Ryder

Councilor McAvoy

Councilor Marble

Paula Scott, Interim Town Manager/Clerk

Jennifer Mahon, Deputy Clerk

Chair Wright called the meeting to order at 6:00 p.m

1. Meeting Minutes – 10/21/2019

Councilor Marble made the motion to accept, seconded by Mayor McPike.

Vote was 5-1-0

2. Review & Sign Warrants

3. Unfinished Business

a. Town Manager Search update – None

b. Council rules discussion – Councilor Wright moved the Council Rules down the agenda

4. New Business

a. Recommendation for the expenditure of an amount not to exceed \$4,000 from Municipal Building reserve account (3-702-00) for

installation of the dehumidification unit in the basement – *requested by DPW Director Currier*

Motion made by Councilor Jarvi, seconded by Councilor Marble; Vote was 6-0-0.

- b. Recommendation for the expenditure of an amount not to exceed \$7,054 from Municipal Building reserve account (3-702-00) to replace the exterior site lighting – *requested by DPW Director Currier*

Motion made by Councilor Jarvi for recommendation, seconded by Councilor Marble; Vote was 6-0-0.

- c. Recommendation for the expenditure of \$2,280 from the Environmental Trust, Income for the purpose of reimbursement of eligible FY19 stormwater management expenses – *referral from Environmental Trust Committee*

Motion made by Councilor Jarvi for recommendation, seconded by Mayor McPike; Vote was 6-0-0.

- d. Recommendation for the expenditure of \$34,521.51 from the Environmental Trust, Income for the purpose of reimbursement of eligible FY20 stormwater management expenses – *referral from Environmental Trust Committee*

Motion made by Councilor Jarvi for recommendation, seconded by Councilor Marble; Vote was 6-0-0.

- e. Recommendation for the expenditure of an amount not to exceed \$1,100 from Library Reserve account (3-763-00) to pay for the emergency replacement of the hot water heater – *requested by Debbie Lozito, Library Director*

Motion made by Councilor Wright for recommendation, seconded by Councilor Jarvi; Vote was 6-0-0.

- f. Recommendation for the expenditure of \$1,516.18 from Computer Reserve account (3-711-00) to purchase a replacement scanner for the Code Department – *requested by Ryan Carey, CEO*

Motion made by Councilor Wright for recommendation, seconded by Councilor Jarvi; Vote was 6-0-0.

- g. Council award of contract for the Western Avenue sidewalk project – *requested by DPW Director Currier*

No action taken per Interim Town Manager Scott

- h. Review of the Scope of Service for the Western Avenue parking & stormwater project – discussion only

Councilor Jarvi discussed the Council Rules in the packet, talked about streamlining Finance & Administration Committee Meetings. Discussed sending Articles 1-3 to Interim Manager Scott.

Motion moved by Councilor Wright to forward Articles 1-3, seconded by Councilor McAvoy; Vote was 6-0-0.

- 5. Public Comment - None
- 6. Committee Member Comments - None
- 7. Manager's Comments - None
- 8. Adjourn – The meeting adjourned at 6:46 pm

Respectfully Submitted

Jennifer Mahon
Deputy Clerk

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, November 18th, 2019

6:00 p.m.

Hampden Town Office

MINUTES

Attending:

Mayor McPike
Councilor Jarvi
Councilor Wright
Councilor Ryder
Councilor McAvoy
Councilor Marble
Councilor Wilde

Paula Scott, Interim Town Manager/Clerk
Jessica Albee, Recording Clerk

Chair Wright called the meeting to order at 6:01 p.m.

1. Meeting Minutes – None
2. Review & Sign Warrants - Committee members reviewed and signed the disbursement warrants.
3. Unfinished Business
 - a. Town Manager Search update – It was mentioned that the Council will be interviewing a candidate on Wednesday night at 6:30 p.m.
 - b. Council rules discussion – The Council rules was discussed in detail
4. New Business
 - a. Recommendation regarding engaging the firm of Eaton Peabody as bond counsel for the 2019 SRF bond anticipation note and general obligation bond in the amount of \$754,000 for the Western Avenue & Dewey Street sewer project

Motion made by Councilor Wright, seconded by Councilor Marble;
Vote was 6-0-0.

- b. Recommendation for Council to execute the 2019 SRF bond anticipation note and general obligation bond in the amount of \$754,000 for the Western Avenue & Dewey Street sewer project

Motion made by Councilor Wright, seconded by Councilor Marble;
vote was 6-0-0.

5. Public Comment - None
6. Committee Member Comments - None
7. Manager's Comments – None
8. Adjourn – The meeting adjourned at 6:59 p.m.

Respectfully Submitted

Jessica Albee
Recording Clerk



Town of Hampden
Planning and Development Committee
Wednesday November 6, 2019, 6:00 pm
Municipal Building Council Chambers
Minutes

Attending:

Committee/Council

Eric Jarvi, Chair
Dennis Marble
Terry McAvoy

Staff

Karen Cullen, Town Planner
Ryan Carey, CEO

Public

Regan Nickels, RSU 22
Alex Holmes and Maddy Humphrey, Hampden Academy
Eric Ellingwood

Chairman Jarvi called the meeting to order at 6:00 pm.

1. Minutes for the October 2, 2019 meeting – **Motion** to approve as submitted made by Councilor Marble; second by Chairman Jarvi; carried 2/1/0.
2. Committee Applications: None.
3. Citizen's Initiatives: None.
4. New Business: None
5. Unfinished Business
 - a. Town Center, formation of a Citizen's Task Force. Regan Nickels and two Hampden Academy students were in attendance to discuss the potential for students to participate in the task force the town is forming – main points of discussion:
 - We're looking for assistance in invigorating the town center, using the information in the market study (2017) and the town center report (2019).
 - Students are interested in participating in this project.
 - This is a long term (multi-year) project, discussion regarding how to facilitate that with students who will presumably participate for a year or less.
 - P&D wants to hear as many opinions as possible from a wide audience.
 - This will be an advisory body and thus may have looser requirements for formal voting and other administrative matters.
 - The task force is to be run by citizens, not the town, although the economic development person should participate (not direct the group). Staff support will be limited.
 - Meetings should be held at a venue other than the Town Office building.
 - Chairman Jarvi drafted a flyer (in packet) which will be sent out to the town center project mailing list as well as other organizations to solicit volunteers, and will also be posted online.
 - Goal is to get the task force formed in time for it to start working in the fall of 2020; identify participants early in 2020 and hold an organizational meeting in the Spring.

- b. Pine Tree Landfill – the Environmental Trust reported that they do not have the authority to deal with the issue, which is that five wells may not be remediated by the end of the 30 year period and at what point does DEP require something be done. The P&D Committee decided by consensus to request that the Town Manager initiate conversation with DEP regarding the concerns with those five wells; this could also be a request from the Town Manager to Drumlin Environmental to contact DEP on the town's behalf.
6. Zoning Considerations/Discussions: None
7. Updates:
 - a. Planner Cullen reported on the proposed marijuana ordinance and discussed the process for moving this forward. After discussion it was decided to aim for holding a public forum to be run by staff, with Councilors as audience members, in mid to late January. The purpose of the forum is to solicit public comments on the broader issues involved with the various types of marijuana businesses so the regulations can be tailored to what the citizens want. Since the amendments will include zoning amendments (to §4.24), the Planning Board will also hold a public hearing, the goal is for that to be held in the spring (March or April). The emergency ordinance on registered caregivers will be proposed for extension as needed until amendments are adopted by Council.
8. Public Comments: Eric Ellingwood commented that he hoped the Honey Hill and Stearns Farm projects will have trails in the open space areas.
9. Committee Member Comments: None
10. Adjournment: Chairman Jarvi adjourned the meeting at 7:41 pm.

*Respectfully submitted by
Karen Cullen, Town Planner*

Items from this meeting for December 4, 2019 P&D meeting:

- Agenda Items: None
- Staff Report:
 - Town Center, formation of Citizen Task Force
 - Pine Tree landfill

Upcoming Elections

2020 Schedule of Federal/State Elections

March 3	<u>Presidential Primary and Special State Referendum Election</u>
June 9	<u>State Primary Election</u>
November 3	<u>General (Presidential) and Potential State Referendum Election</u>

Maine Political Parties

Maine currently has three qualified parties: Democratic, Green Independent and Republican that may participate in primary elections. (Note: although some unenrolled candidates choose to designate themselves as "Independent," there is no "Independent" party in Maine.)

March 3, 2020 - Presidential Primary and Special State Referendum Election

Description of the Presidential Primary Election

The 129th Maine Legislature enacted a Presidential Primary law in 2019 (PL 2019, Chapter 445), for the purpose of allowing Maine voters to designate their preference for the nomination of their party's candidate. In order to participate in the Presidential Primary, each of the 3 qualified parties had until November 1, 2019 to file a certification with the Secretary of State.

The Democratic Party and the Republican Party filed this certification and will participate in the Presidential Primary election, but also will hold caucuses for conducting other party-building activities. The Green Independent Party chose not to participate in the Presidential Primary election but will hold party caucuses for voting for the Presidential candidate and conducting other party-building activities.

In order to qualify for the Presidential Primary Election ballot, Democratic and Republican candidates must circulate petitions and submit at least 2,000 signatures of registered voters who are enrolled in their party to the Secretary of State's Division of Elections by 5:00 p.m. on December 23, 2019.

June 9, 2020 - State Primary Election

Description of the State Primary Election (for offices other than President)

Primary Elections determine each qualified party's nomination of candidates for federal offices (other than President) and qualified State and County offices. Party candidates who are elected at the Primary qualify to appear on the November General Election ballot.

Offices included in the 2020 Primary Election are United States Senator, Representative to Congress (both districts), all 35 State Senate districts, all 151 State Representative districts, and the following county offices, which vary depending on the county: Judge of Probate, Register of Probate, County Treasurer, Register of Deeds, Sheriff, District Attorney and County Commissioner.

In order to qualify for the Primary Election ballot, party candidates must gather a specified number of signatures on primary nomination petitions between January 1, 2020 and March 16, 2020 and must submit these petitions to the Secretary of State's Division of Elections by 5:00 p.m. on March 16, 2020.

Nonparty candidates gain access directly to the General Election ballot by gathering a specified number of signatures on nonparty nomination petitions between January 1, 2020 and June 1, 2020 and must submit these petitions to the Division of Elections by 5:00 pm on June 1, 2020.

November 3, 2020 - General (Presidential) and Potential State Referendum Election

Description of the General Election

The General Election is held nationally on the first Tuesday following the first Monday in November. In 2020, Maine voters will select their choice for President/Vice President (this process is called the "popular vote"), and elect one of Maine's two United States Senators, Maine's Representatives to Congress, members of the Maine Legislature, and certain county officers.

Each party's nomination for President/Vice President of the United States, party candidates who are nominated as a result of the June Primary Election, and unenrolled candidates will appear on the General Election ballot.

The actual election of President/Vice President occurs through the Electoral College. The "popular vote" is used to choose Maine's 4 "electors", who convene at what is called the "Electoral College" at the State House in December to cast their "electoral votes."

Check One: ☒ Initial Application
☐ Reappointment Application



TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: CLARISSA EDELSTON, CLARISSA B
LAST FIRST MI

ADDRESS: 1232 WESTERN AVE HAMPDEN 04444
STREET TOWN ZIP

MAILING ADDRESS (if different): _____

TELEPHONE: 207 862-2772 207 949-1303
HOME WORK CELL

EMAIL: cedelston@gmail.com

OCCUPATION: retired

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Library Board

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? _____

I have been an attorney for 40+ years, mostly in TX, Employment and estates. I have used the library for as long as it has existed in Hampden, donated to it and participated

Are there any issues you feel this board or committee should address, or should continue to address? _____

program:
(over) →

3 YEAR

BOARD OF ASSESSMENT REVIEW
 PERSONNEL APPEALS BOARD
 LURA HOIT MEMORIAL POOL
 HARBOR COMMITTEE

DYER LIBRARY
 RECREATION COMMITTEE
 BOARD OF APPEALS
 HISTORIC PRESERVATION COMMISSION

5 YEAR
 PLANNING BOARD

FOR TOWN USE ONLY

Date Application Received: 10/29/19

COUNCIL COMMITTEE ACTION: Services Com - referred DATE: 11/12/19

COUNCIL ACTION: _____ DATE: 12/19/19

☒ NEW APPT ☐ REAPPOINTMENT DATE APPOINTMENT EXPIRES: _____



Check One: ☐ Initial Application
☒ Reappointment Application

TOWN OF HAMPDEN

DEC 05 2019

APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Sherwood Lowell T. Tr
LAST FIRST MI

ADDRESS: 63 Griffin Ave Hampden 01444
STREET TOWN ZIP

MAILING ADDRESS (if different): _____

TELEPHONE: 745-7932 _____
HOME cel WORK

EMAIL: tsmhs@aol.com

OCCUPATION: Retired

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Edythe L. Dyer Library

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? Currently a trustee. Check with the

Library Director to assess my contribution to the Board

Are there any issues you feel this board or committee should address, or should continue to address? _____

3 YEAR

BOARD OF ASSESSMENT REVIEW
 PERSONNEL APPEALS BOARD
 LURA E. HOIT MEMORIAL POOL
 HARBOR COMMITTEE

EDYTHE L. DYER LIBRARY
 RECREATION COMMITTEE
 BOARD OF APPEALS
 HISTORIC PRESERVATION COMMISSION

5 YEAR
 PLANNING BOARD

FOR TOWN USE ONLY

Date Application Received: 12/5/19

COUNCIL COMMITTEE ACTION: Services - referred to Council DATE: 12/9/19

COUNCIL ACTION: _____ DATE: _____

☐ NEW APPT ☒ REAPPOINTMENT DATE APPOINTMENT EXPIRES: _____



Check One: ☐ Initial Application
☒ Reappointment Application

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Fenders Nancy A
LAST FIRST MI
 ADDRESS: 407 Old County Rd Hampden 04444
STREET TOWN ZIP

MAILING ADDRESS (if different): _____

TELEPHONE: 207 944 2806 207 941 7153
HOME WORK

EMAIL: NFenders@gmail.com

OCCUPATION: University Registrar

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Recreation Committee

SECOND CHOICE (OPTIONAL): N/A

How would your experience, education and/or occupation be a benefit to this board or committee? I have been a member of this committee for

6 yrs. and therefore have many years of experience. In

my professional life I manage the Course/Room Scheduling for
the University, sit on Accreditation Boards, generate statistics, and manage
Records.

Are there any issues you feel this board or committee should address, or should continue to address? Long Term planning - more fields, centrally located,

possible Community Center, etc.

3 YEAR

BOARD OF ASSESSMENT REVIEW
 PERSONNEL APPEALS BOARD
 LURA HOIT MEMORIAL POOL
 HARBOR COMMITTEE

DYER LIBRARY
 RECREATION COMMITTEE
 BOARD OF APPEALS
 HISTORIC PRESERVATION COMMISSION

5 YEAR
 PLANNING BOARD

FOR TOWN USE ONLY

Date Application Received: 11/26/19

COUNCIL COMMITTEE ACTION: Services referred to Council DATE: 12/9/19

COUNCIL ACTION: _____ DATE: _____

☐ NEW APPT ☒ REAPPOINTMENT DATE APPOINTMENT EXPIRES: _____


2019 SPIRIT OF AMERICA

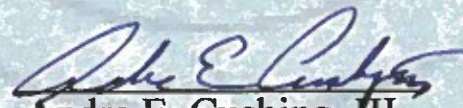
THE PENOBSCOT COUNTY COMMISSIONERS
ARE PLEASED TO RECOGNIZE

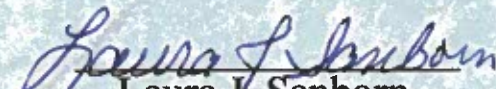
Hampden Children's Day Committee

For your volunteer services to the Town of Hampden

On this day, October 15, 2019, for the pride you have taken
in your volunteer work and the excellence with which you serve
the people of Penobscot County.


Peter K. Baldacci
District 1


Andre E. Cushing, III
District 2


Laura J. Sanborn
District 3

Ivan P. McPike (Mayor, A/L)
 Stephen L. Wilde (1)
 Dennis R. Marble (2)

TOWN OF HAMPDEN IN THE TOWN COUNCIL

Terry McAvoy (3)
 David I. Ryder (4)
Eric Jarvi~~Mark S. Cormier~~ (A/L)
Shelby Wright~~Gregory J. Sirois~~

Order 201~~97-087~~

Adoption: ~~December 16, 2019~~**December 16, 2017**

ORDER ADOPTING UPDATED TRANSFER STATION DECAL POLICY

ORDERED, that the Town Council hereby approves an updated Transfer Station Decal Issuance Policy, as written below.

TRANSFER STATION DECAL ISSUANCE POLICY

The Hampden Transfer Station is for the use of Hampden residential property owners and ~~residents~~**users**. No vehicle will be allowed entry to the Transfer Station without a current decal. A grace period ~~may be~~ provided for vehicles with a valid decal from the prior year, which ~~may will~~ be allowed entry during the month of January only. As of February 1, all vehicles without a valid decal will not be allowed to utilize the facility and will be turned away at the gate or asked to leave if found within the facility.

Decals may be purchased at the Town Office, during normal business hours at a cost specified in the Town of Hampden Fees Ordinance and by meeting the criteria as follows:-

1. The vehicle registration of the vehicle on which the decal will go ~~should~~**must** be presented at the time of decal issuance.
2. To qualify for a residential decal, applicants must provide proof of current residence in Hampden. Residents who otherwise qualify for a decal but who have company-owned vehicles not registered in Hampden ~~may~~ receive a residential decal pursuant to Section 4 below.
3. Non-resident applicants must own property not used solely for rental purposes. An owner-occupant of property that includes one or more residential rental units will be eligible to purchase a decal. Non-resident property owners with rental units strictly used as income properties, shall not be eligible for a Transfer Station decal.
4. Businesses are not generally eligible to purchase decals or utilize the Transfer Station. Decals will only be issued for vehicles registered to a business, and/or with company name or logo on the vehicle, if the vehicle is owned by an eligible resident of Hampden or serves as the resident's personal vehicle. In this situation, the owner of the vehicle will be required to provide documentation that the company has a current commercial waste disposal contract. The requirement to document a commercial waste disposal contract may be waived for companies that do not generate commercial waste in the normal course of business (i.e. accountants, realtors).
5. Decals will not be issued to trucks other than pickups with a regular pick-up bed of no more than 8 feet.
6. Transfer station decals must be permanently affixed to the inside of the windshield on the ~~lower~~ driver's side of the vehicle for which it was issued. Plate numbers on the decal must match the plate number on the vehicle.

7. Vehicles without a decal or a Temporary Vehicle Pass will not be allowed access to the transfer station. All residents unwilling to leave upon request, may be reported to the Public Works Director and/or Police Department and depending on the severity, could face civil or criminal penalties.
8. Decals are non-refundable. A replacement decal will not be provided unless the original decal (or major portion of the decal) purchased is returned to the Town Office. A refund for Refrigerant Disposal Stickers will not be provided unless the original sticker purchased is returned to the Town Office in saleable condition.
9. A Temporary Vehicle Pass usable only on dates specified on the Pass will be sold to seasonal residents, and non-resident caretakers of local residents, at a cost specified in the Town of Hampden Fees Ordinance. Seasonal ~~residents~~residents seeking a Temporary Vehicle Pass will be required to provide documentation of the term of local rental. Non-resident caretakers of local residents will be required to provide documentation of their relationship-care responsibilities to the local resident(s) under their care. Upon documentation of ~~local residence~~ (or seasonal occupancy), a Temporary Vehicle Pass may be issued ~~for a rental car~~.
10. A Temporary Vehicle Pass may be issued to a non-Hampden resident living locally only upon documentation that the person is living in Hampden on a temporary basis due to displacement from their primary residence resulting from fire, mold remediation, etc.
11. The holder of a Temporary Vehicle Pass must accompany the vehicle for which the Pass was obtained. Commercial vehicles, ~~or~~ contractor vehicles or larger than a full-sized pick-up (8' body) are not eligible for a Temporary Vehicle Pass.
12. Residents without a pick-up may obtain a Temporary Vehicle Pass for specified dates, for a commercial rental vehicle (such as a Home Depot or U-Haul pick-up) as long as the vehicle regular pick-up bed of no more than 8 feet.

This policy was amended by the Hampden Town Council on 2/17/2009, 10/5/2015, 12/18/2017 and on 12/168/20197. The effective date of the revised policy is December 169, 20197.

Town Clerk:

ORDERED by a majority of the Town Council:

Paula Scott

Ivan P. McPike (Mayor, A/L)
Stephen L. Wilde (1)
Dennis R. Marble (2)

TOWN OF HAMPDEN
 IN THE TOWN COUNCIL

Terry McAvoy (3)
David I. Ryder (4)
Eric Jarvi (A/L)
Shelby Wright (A/L)

Order 2019-08

Adoption: December 16, 2019

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4. Businesses are not generally eligible to purchase decals or utilize the Transfer Station. Decals will only be issued for vehicles registered to a business, and/or with company name or logo on the vehicle, if the vehicle is owned by an eligible resident of Hampden or serves as the resident's personal vehicle. In this situation, the owner of the vehicle will be required to provide documentation that the company has a current commercial waste disposal contract. The requirement to document a commercial waste disposal contract may be waived for companies that do not generate commercial waste in the normal course of business (i.e. accountants, realtors).
5. Decals will not be issued to trucks other than pickups with a regular pick-up bed of no more than 8 feet.
6. Transfer station decals must be permanently affixed to the inside of the windshield on the lower driver's side of the vehicle for which it was issued. Plate numbers on the decal must match the plate number on the vehicle.

7. Vehicles without a decal or a Temporary Vehicle Pass will not be allowed access to the transfer station. All residents unwilling to leave upon request, may be reported to the Public Works Director and/or Police Department and depending on the severity, could face civil or criminal penalties.
8. Decals are non-refundable. A replacement decal will not be provided unless the original decal (or major portion of the decal) purchased is returned to the Town Office. A refund for Refrigerant Disposal Stickers will not be provided unless the original sticker purchased is returned to the Town Office in saleable condition.
9. A Temporary Vehicle Pass usable only on dates specified on the Pass will be sold to seasonal residents, and non-resident caretakers of local residents, at a cost specified in the Town of Hampden Fees Ordinance. Seasonal residents seeking a Temporary Vehicle Pass will be required to provide documentation of the term of local rental. Non-resident caretakers of local residents will be required to provide documentation of their care responsibilities to the local resident(s) under their care. Upon documentation of seasonal occupancy, a Temporary Vehicle Pass may be issued.
10. A Temporary Vehicle Pass may be issued to a non-Hampden resident living locally only upon documentation that the person is living in Hampden on a temporary basis due to displacement from their primary residence resulting from fire, mold remediation, etc.
11. The holder of a Temporary Vehicle Pass must accompany the vehicle for which the Pass was obtained. Commercial vehicles, contractor vehicles or larger than a full-sized pick-up (8' body) are not eligible for a Temporary Vehicle Pass.
12. Residents without a pick-up may obtain a Temporary Vehicle Pass for specified dates, for a commercial rental vehicle (such as a Home Depot or U-Haul pick-up) as long as the vehicle is a regular pick-up with a bed of no more than 8 feet.

This policy was amended by the Hampden Town Council on 2/17/2009, 10/5/2015, 12/18/2017 and on 12/16/2019. The effective date of the revised policy is December 16, 2019.

Town Clerk:

Paula Scott

ORDERED by a majority of the Town Council:

Town of Hampden

EMERGENCY ORDINANCE REGARDING MEDICAL MARIJUANA REGISTERED CAREGIVER OPERATIONS

WHEREAS, the legislative body of the Town of Hampden (the “Municipality”) makes the following findings:

- (1) The Maine Medical Use of Marijuana Act (the “Act”) was passed by the Maine Legislature in 2009 and has been codified in the Maine Revised Statutes (“M.R.S.A.”) in Title 22, Chapter 558-C and amended in 2018; and
- (2) The Act (22 M.R.S.A. § 2430-D(3)) and the Maine Medical Use of Marijuana Program Rules promulgated pursuant thereto (10-144 CMR Ch. 122, § 6(K)), permit an unlimited number of medical marijuana registered caregivers to operate on a single parcel, which raises legitimate and substantial questions about the impact of properties where multiple registered caregivers operate in the Municipality, including questions as to compatibility with existing land uses and developments; potential adverse health and safety effects on the community; and potential impacts on the value of abutting properties; and
- (3) The Act permits a municipality to regulate registered caregivers provided they are not prohibited and there is no limitation on the number operating in the municipality (22 M.R.S.A. § 2429-D); and
- (4) As a result of the foregoing issues, the operation of multiple medical marijuana registered caregivers on a single parcel within the Municipality has potentially serious implications for the health, safety and welfare of the Municipality and its residents; and
- (5) The Municipality currently has no regulations governing medical marijuana registered caregivers, and existing ordinances are insufficient to prevent serious public harm that could result from the unregulated development of properties with multiple registered caregivers; and
- (6) The Municipality intends to draft and adopt a new section of the Town of Hampden Maine Marijuana Ordinance to regulate medical marijuana registered caregivers within the Municipality, which process will take time to ensure appropriate regulation of this use; and
- (7) In the judgment of the Hampden Town Council, the foregoing findings and conclusions constitute an emergency within the meaning of 30-A M.R.S.A. § 4356 and Section 214 of the Hampden Town Charter requiring immediate legislative action.

NOW THEREFORE, pursuant to 30-A M.R.S.A § 4356, be it ordained by the Municipality as follows:

Section 1. Limitation. The Municipality does hereby declare that to protect the public health, safety, and welfare, that to the extent authorized by the Act, there shall be allowed to operate on a single property, as that term is defined in the Town of Hampden Maine Marijuana Ordinance, no more than one medical marijuana registered caregiver within the Residential A, Residential B, and Town Center zoning districts, and no more than three medical marijuana registered caregivers within any other zoning districts.

No person or organization shall exceed these limits on or after the effective date of this Ordinance. During the time this Emergency Ordinance is in effect, no officer, official, employee, office, administrative board or agency of the Municipality shall approve any application for an operation exceeding these limits.

Section 2. Pending Proceedings. Notwithstanding 1 M.R.S.A. § 302 or any other law to the contrary, this Emergency Ordinance shall govern any proposal for multiple medical marijuana registered caregivers that exceeds the limits set forth in Section 1 for which an application for a building permit, certificate of occupancy, site plan or any other required approval has been submitted to the Municipality, prior to the enactment of this Emergency Ordinance, whether or not it is a pending proceeding.

Section 3. Medical Use of Marijuana Act. This Ordinance will not limit any other privileges or rights afforded by the Maine Medical Use of Marijuana Act (22 M.R.S.A. Chapter 558-C). This Ordinance shall not be construed as a vote to allow caregiver retail stores, registered dispensaries, testing facilities, or manufacturing facilities pursuant to 22 M.R.S.A. § 2429-D(3), except to the extent such uses are already allowed under the Town of Hampden Zoning Ordinance.

Section 4. Personal Use of Marijuana. This Ordinance will not limit the privileges or rights concerning the personal use of marijuana afforded by the Maine Adult Use Marijuana Law (28-B M.R.S.A. Chapter 3).

Section 5. Conflicts/Savings Clause. Any provisions of the Municipality's ordinances that are inconsistent or conflicting with the provisions of this Emergency Ordinance are hereby repealed to the extent applicable for the duration of this Emergency Ordinance. If any section or provision of this Emergency Ordinance is declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.

Section 6. Violations. If any property is found to be in violation of this Emergency Ordinance, each day of any continuing violation shall constitute a separate violation of this Emergency Ordinance and the Municipality shall be entitled to all rights available to it pursuant to 30-A M.R.S.A. § 4452, including, but not limited to, fines and penalties, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations.

Section 7. Effective Date. This Emergency Ordinance shall become effective immediately upon its adoption and shall remain in full force and effect for a period of 60 days thereafter, unless extended pursuant to law by the Municipality.

Adopted: September 16, 2019

Effective: September 16, 2019




Certified by: Paula Scott, Town Clerk



memo

Town of Hampden-Recreation Department

To: Hampden Town Council
From: Shelley Abbott; Recreation Director 
CC: Paula Scott; Interim Town Manager, Sean Currier; PW Director
Date: 11/13/2019
Re: Temporary Storage Western Avenue Recreation Area

Comments:

In advance of the work beginning at the Western Avenue Recreation Area preparation will need to be completed to ready the construction area. In order to continue to provide services at the field location during the project, relocation of field storage and portable facilities will need to occur during the winter months as the ground will be frozen and allow a few of the storage buildings to hopefully be salvageable.

The plan will be to relocate the team equipment box to the area in back of the pool along with the small shed which currently faces the play field. This shed we believe to be on a wooden platform that should allow the building to be slid to a new location out of the way of future development. Public works will work to complete this as weather and work load allow.

I will be requesting that the Bronco Travel Soccer Club move their own small equipment building to another location, offsite if possible. The large storage shed facing the existing parking lot along will be demolished due to its existing building construction not allowing for a move. The existing portable toilet surround will be dismantled in hopes of reinstalling it in a new location at a later date.

In the interim, additional temporary storage to replace the lost building space will be needed. I'd like to request permission and support with reserve funds (3-767-00) to rent a portable storage bin from Maine Trailer to be set onsite in early Spring near the back side of the pool building. This will allow staff to access equipment and provide services while maintaining security for the department's displaced items. The rental cost for a 20' container is \$100 per month plus delivery and pick up charges.



memo

A long term solution will need to be made to replace the storage loss. A request for Reserve funding will be made in the FY 21 budget. I have includes some sample materials cost for garage packages for pricing. Additional costs would be incurred for concrete services and labor for the construction of the storage space.

Thank you,
Shelley Abbott
Recreation Director

G 3-767-00 RESERVE ACCT / REC AREA RES

-339,267.04 = Beg Bal

56.09 = YTD Net

-339,598.28 = Balance

-387.33 = Adjust

0.00 = YTD Enc

Per	Jrnl	Check	Date	Vendor-----	Description-----	RCB / Type		Debits	Credits
07	0004		07/02/19		BBA RESEVE INT/FMV CHANGE	B	GJ	0.00	387.33
08	0116	2068	08/14/19	01248 PLYMOUTH ENG	BALANCE OF SERVICES	R	AP	56.09	0.00
Totals-								56.09	387.33

Monthly Summary

Month	--Regular Entries--		--Balance Entries--	
	Debits	Credits	Debits	Credits
July	0.00	0.00	0.00	387.33
August	56.09	0.00	0.00	0.00
Totals	56.09	0.00	0.00	387.33